

E-Filed 4/6/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT MCCARTHY,

NO. 5:07 CV 3743 RS

Plaintiff,

**ORDER TO SHOW CAUSE
RE: DISMISSAL**

v.

HENRY GRUNBAUM d/b/a BEACON
LIGHTING; THE BEACON, INC., d/b/a
BEACON LIGHTING; G.N.D.
PROPERTIES, L.L.C.; and DOES 1 through
10, INCLUSIVE,


Defendants.

The above action was filed on July 19, 2007, and on the same day, the Court issued a summons and filed its standard scheduling order for cases asserting denial of right of access under the Americans with Disabilities Act. Plaintiff has otherwise taken no action to pursue the matter.

The Court hereby issues this order to show cause why this case should not be dismissed for failure to prosecute. If plaintiff does not file a response to this order by **April 15, 2009**, demonstrating why his case should not be dismissed, the Court will dismiss the action without prejudice for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b).

1 IT IS SO ORDERED.

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3 Dated: April 6, 2009

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5 RICHARD SEEBORG
6 United States Magistrate Judge
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